

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	19 th July
Planning Development Manager authorisation:	SCE	21.07.2021
Admin checks / despatch completed	ER	21/07/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	21/07/2021

Application: 21/00813/LBC **Town / Parish:** Beaumont Parish Council
Applicant: Mr and Mrs Lowdell
Address: The Oak Harwich Road Beaumont
Development: Proposed erection of boat shed and ancillary store

1. Town / Parish Council

No comments received

2. Consultation Responses

Essex County Council
Heritage

There is no objection to the principle of this building. However, the proposed location is next to a curtilage listed redbrick building of likely nineteenth century derivation. The proposed building should be reduced in size to be equal of below the ridge height of the adjacent building. Should revisions be made I would have no objection.

Should the proposal remain unchanged I recommend it is refused under paragraph 196 of the NPPF given the affect this will have on the setting and significance of the heritage asset.

3. Planning History

96/01298/LBC	Replacement of existing windows with tripartite double hung sash windows and casements	Approved	06.01.1997
06/00619/FUL	4-Bay cart lodge with enclosed tractor shed and closed store. Single storey timber construction with man-made slate roof.	Refused	16.06.2006
06/01390/FUL	Proposed cart lodge tractor shed and closed store.	Approved	05.10.2006
07/01185/LBC	Demolition of existing outbuildings and erection of swimming pool enclosure, including reconstruction of existing delapidated outbuilding for use as changing room, plant room and access.	Approved	24.09.2007
07/01186/FUL	Demolition of existing outbuildings	Approved	11.10.2007

	and erection of swimming pool enclosure, including reconstruction of existing dilapidated outbuilding for use as changing room, plant room and access.		
08/00842/FUL	Erection of swimming pool building and extension to existing roof to join new roof over pool.	Approved	22.09.2008
08/00843/LBC	Erection of swimming pool building and extension to existing roof to join new roof over pool. Conversion of existing store / workshop into lounge area, plant room and changing rooms. New access into swimming pool building from existing store / workshop and new doors into existing store / workshop.	Approved	22.09.2008
16/01795/LBC	Partial demolition of redundant chimney stack and restoration of remaining stack.	Approved	
17/00578/LBC	Proposed porch.	Approved	18.05.2017
17/01539/DISCON	Discharge of condition 3 (materials) of listed building consent 17/00578/LBC.	Approved	15.09.2017
21/00813/LBC	Proposed erection of boat shed and ancillary store	Current	
21/00814/FUL	Proposed erection of boat shed and ancillary store	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

EN23 Development Within the Proximity of a Listed Building

Relevant Section 2 Policies (emerging)

PPL9 Listed Buildings

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of

consistency with national policy. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council has now formally adopted Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices.

5. Officer Appraisal

Site Description

The property is located on the junction of Harwich Road and Wix Road adjacent to Oak Farm Business Park. The house is situated back from the main road and is surrounded by mature vegetation.

The application site is The Oak, Harwich Road, Beaumont, an east facing detached Grade II Listed Building. The surrounding area is typically rural, although there are examples of urban built form to the north of the site. The site does not fall within a recognised Settlement Development Boundary, as agreed within the adopted Tendring Local Plan 2007.

Description of Proposal

The application proposes a detached boat-storey building with an attached storage area. The main building would have a footprint of 5.5m x 5.5m with a dual pitched roof having eaves at 2.3m and a ridge of just under 5.3m. The attached store would sit roughly half-way along the flank (east) elevation and would have a footprint of 2m (wide) by 3m (deep) with a mono-pitched roof having the same eaves as the main building

The site of the proposed boat house itself is situated behind the host dwelling and nearby detached cart lodge and adjacent to neighbouring farm buildings on the northernmost boundary of the property. It would also have an equidistant relationship to the listed building as the cart lodge approved under application 06/01390/FUL and have a similar ridge height to this structure.

Listed Building

Development affecting the setting of a Listed Building can have as dramatic, and if not properly controlled, as severe an impact as unacceptable alterations to the building itself. The setting of a Listed Building is a material planning consideration when considering planning applications.

Paragraph 192 of the NPPF requires the Local Planning Authority, when determining applications for development, to take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 196 of the NPPF requires that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

There are two listed structures on the site and the Listing is described as:

House:-

House. Early C16, altered in C18 and early C19. Timber framed, plastered and weatherboarded, roofed with handmade red clay tiles. 5-bay continuous jetty house facing E, with 2 rear stacks and an external stack at the right end. Early C19 single-storey lean-to extension to left, roofed with slate. C18 extension to rear with gambrel roof, and complex series of extensions on each side of and beyond it, mostly early C19. 2 storeys. Ground floor, one early C19 sash of 16 lights, 2 C20 casements, and door altered to C20 fixed light. First floor, 5 early C19 2-light windows each with one wrought iron casement, the saddle bars removed. Early C19 flush 6-panel door, the top 2 panels glazed. Exposed full-length jetty with 5 plain brackets in situ. Roof hipped. Jowled posts. 'Suffolk' bracing trenched inside heavy studding, mostly plastered over. Edge-halved and bridled scarfs in wallplates, the rear wallplate made up of several short lengths of timber. On the ground floor the studding of the left end and the next partition have been removed; the soffits of all the beams have been hacked back, and some are boxed in. Crownpost roof with plain crownposts and axial bracing. Early C19 features include a stair with stick balusters, a reeded fire surround to left of the axial stack, and a pine fireplace carved with the arms of Lord Nelson, now in the left ground-floor room, but removed from the right ground-floor room, an exceptional survival. A report by Harry Forrester, 1969, in the possession of the owner states that the joists are 180mm wide (not now visible), and that the original screens passage is the short bay near the right end. Further examination may confirm this, but it may be a bay for an original timber-framed chimney; there are some indications that the service bay was at the left end. Formerly called Connies Oak or Flynters. Deeds from 1642 to 1677 in Essex Record Office, D/DGh T.4. The farm was acquired by Guy's Hospital in 1725, sold to Essex County Council in 1920, and the farmhouse was sold separately in 1949.

Barn and attached complex. Early C19. Mainly red brick in Flemish and English bond, some weatherboarded timber framing, roofed with corrugated asbestos and slate. The barn is aligned N-S, with 2 midstreys to the E, and lean-tos between the midstry and in the NE angle. From its N end a range extends to the WNW, comprising wagon-lodge, shelter shed and stalls. Further S a range extends W from the barn, having a coach-house with loft over in the middle, and a single-storey wing to each side of it. The barn has a half-hipped gambrel roof of corrugated asbestos. The other buildings have low-pitched hipped roofs of slate. The E elevation of the barn has 2 round windows with cast iron radial tracery, one round-headed window, 3 halved doors, 2 pairs of halved doors and one pair of great doors. The southern half is ceiled and partly lined with matchboarding, having been used as a parish hall. The northern half has an open roof with raking struts from the straight tiebeams to the principal rafters, tenoned collars and clasped purlins in the upper pitch. The WSW range has to the N 4 open bays and 2 pairs of double doors, to the S 2 open bays and 2 halved doors, and is partly weatherboarded. The 2-storey coach-house opens to the S, towards the

former farmhouse (now The Oak, item 3/17, q.v.); to the N it has on the first floor 3 partly slatted windows, and on the ground floor 3 halved doors and 3 plain boarded doors. The single-storey wing to the W of it is a shelter shed fully open to the N. The single-storey wing to the E of it comprises stables with 5 halved doors. Built by Guy's Hospital, which owned the farm from 1725 to 1920.

The Historic Environment Consultant comments that "There are also a number of other buildings within the site which are considered curtilage listed. There is no objection to the principle of this building. However, the proposed location is next to a curtilage listed redbrick building of likely nineteenth century derivation. The proposed building should be reduced in size to be equal of below the ridge height of the adjacent building. Should revisions be made I would have no objection."

The siting of the proposed boat house is equidistant to the listed barn as the cartlodge approved under reference 06/01390/FUL. The cartlodge has a ridge height in the region of 5m, as is proposed for the boat store. For this reason it is not considered appropriate for such alterations to be made.

6. **Recommendation**

Approval - Listed Building Consent

7. **Conditions**

- 1 The works hereby permitted shall begin before the expiration of three years from the date of this consent.

Reason - To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: ML-E01, ML-P01, ML-P02 and ML-P04 (received 5th May 2021).

Reason - For the avoidance of doubt and in the interests of proper planning.

8. **Informatives**

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Are there any letters to be sent to applicant / agent with the decision?		NO
Are there any third parties to be informed of the decision?		NO